REMARKS

Upon entry of the foregoing amendments Claims 1-10, 12-14, and 16-21 will be pending in the application.

Independent claims 1, 12, and 16, as amended, should be in condition for allowance. The Examiner cited U.S. Patent No. 5,832,402 to Brachert et al. and U.S. Patent No. 6,208,927 to Mine et al. as rendering Claims 1-7, 10, 12-14, and 16-19 obvious under 35 U.S.C. §103(a).

Brachert et al. discloses a vehicle control system and method for controlling a vehicle, including an anti-lock brake system, a traction control system, a stability system, and a controller operatively coupled to these systems. Brachert et al. failed to disclose a GPS device for determining the position of a vehicle wherein the GPS device is coupled to the controller and aids in controlling the vehicle. The Examiner noted that Mine et al. disclosed another vehicle control system teaching the use of a GPS device for determining the position of a vehicle. The Examiner therefore concluded that Brachert et al. and Mine et al. would have been obviously combined to render the selected claims unpatentable under 35 U.S.C. §103(a).

Claim 1 as amended claims in part a controller coupled to the vehicle control system, the controller adapted to receive a vehicle position signal, and further adapted to receive a weather signal. Similarly, amended Claim 12 claims in part a controller adapted to receive a vehicle position signal and a weather signal, and to produce a control signal in response thereto. Finally, amended Claim 16 in part claims a method including the step of providing a controller for receiving a vehicle position signal and a weather signal.

As neither Brachert et al. nor Mine et al. disclose a controller adapted to receive a weather signal and produce a control signal in response thereto, the

combination of these two references cannot teach or suggest the invention claimed in Claims 1, 12, and 16. Consequently, Applicant submits that independent Claims 1, 12, and 16 are non-obvious in view of Brachert et al. and Mine et al., and respectfully request that the Examiner withdraw his rejection under 35 U.S.C. 103(a).

Claims 2-10, 13-14, and 17-21 are dependent claims that depend from an independent claim discussed above. As Claims 1, 12, and 16 are in allowable form, Applicant submits that Claims 2-10, 11-14, and 17-21 should also be placed in condition for allowance.

Applicant respectfully submits that the previous remarks and appended amendments fully respond to the Office Action dated February 13, 2002. Accordingly, Applicant asserts that Claims 1-10, 12-14, and 16-21 are in condition for allowance and such action by the Examiner is earnestly solicited.

A check in the amount of $110 is enclosed to cover the Petition fee. Please charge any additional fees or credit any overpayments as a result of the filing of this paper to our Deposit Account 23-1925 – a duplicate of this paper is enclosed for that purpose.

Respectfully submitted by,

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APPENDIX A

CLAIMS

1. (AMENDED) A vehicle control system for controlling a performance characteristic of the vehicle; comprising:

a controller coupled to the vehicle control system, the controller adapted to receive a vehicle position signal, the controller employing the position signal to determine at least one characteristic pertinent to the operation of the vehicle control system and outputting a control signal, and further adapted to receive a weather signal;

wherein said weather signal affects said determination of said characteristic; and

wherein the vehicle control system receives the control signal and tailors its performance in response thereto.

10. (AMENDED) The vehicle control system of Claim 1, wherein said vehicle position signal is received from one or more global positioning [satalites] satellites.

12. (AMENDED) A vehicle control system for controlling a vehicle comprising:

an anti-lock brake system for controlling a brake force exerted by a brake caliper to limit vehicle skidding in a predetermined manner;

a traction control system for controlling acceleration of the vehicle to limit wheel slip in a predetermined manner;

a stability system for controlling a yaw rate of the vehicle in a predetermined manner; and

a controller coupled to the anti-lock brake system, the traction control system and the stability system, the controller adapted to receive a vehicle position signal and a weather signal, and to produce a control signal in response thereto, the control signal including a road surface type;

wherein the anti-lock brake system, the traction control system and the stability system receive the control signal and tailor their performance in response thereto.

14. (AMENDED) The vehicle control system of Claim 12, wherein said vehicle position signal is received from one or more global positioning [satalites] satellites.

16. (AMENDED) A method for controlling a vehicle having a vehicle control system, the method comprising the steps of:

providing a controller for receiving a vehicle position signal and a weather signal;

determining at least one characteristic pertinent to the operation of the vehicle control system from the position signal;

generating a control signal based the at least one characteristic pertinent to the operation of the vehicle control system; and

enhancing the performance of the vehicle control system based on the control signal.